

VZCZCXR07066

OO RUEHCHI RUEHDT RUEHHM RUEHNH RUEHTRO
DE RUEHGO #0321/01 1520255
ZNY CCCCC ZZH
O 010255Z JUN 09
FM AMEMBASSY RANGOON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 9046
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 2001
RUEHNE/AMEMBASSY NEW DELHI 5478
RUEHUL/AMEMBASSY SEOUL 9072
RUEHKO/AMEMBASSY TOKYO 6648
RUEHGV/USMISSION GENEVA 4461
RHHMUNA/CDR USPACOM HONOLULU HI
RHEHNSC/NSC WASHDC
RUEKJCS/SECDEF WASHDC
RUEHBS/USEU BRUSSELS
RUCNDT/USMISSION USUN NEW YORK 2454
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000321

SIPDIS

STATE FOR EAP, IO, G/TIP, AND DRL
PACOM FOR FPA
US MISSION GENEVA FOR LABOR ATTACHE
NSC FOR LIZ PHU

E.O. 12958: DECL: 06/01/2019

TAGS: ELAB PGOV PREL PHUM CASC BM

SUBJECT: BURMA: MEETING WITH MINISTER OF LABOR -- AUNG SAN
SUU KYI; LABOR ISSUES

REF: A. RANGOON 193
1B. RANGOON 302
1C. RANGOON 254
1D. RANGOON 111

Classified By: CDA Larry Dinger for reasons 1.4 (b and d).

Summary

11. (C) In a meeting on May 29, Burma's Labor Minister, Major General Aung Kyi, who is also the regime's point of contact for "relations" with Aung San Suu Kyi (ASSK), signaled that he continues to believe ASSK only wants dialogue with Senior General Than Shwe. Aung Kyi said that if ASSK wants to meet him, he is willing. When the Charge conveyed a message from the National League for Democracy (NLD) seeking unconditional dialogue, the Minister asked for clarification: at what level? Aung Kyi argued that the current trial against ASSK will go ahead "fairly;" and he emphasized the regime's view that all Burmese citizens must obey the law, especially those who aspire to lead. When the Charge raised forced-labor and child-labor issues, Aung Kyi acknowledged continuing problems, said other developing countries have similar problems, and accented his ministry's efforts to educate the public about labor rights, including in unsecure parts of the country. He defended using administrative rather than criminal penalties for military officers who break labor laws. The Charge noted the disconnect between the regime's approach to military officers as compared to its handling of the ASSK criminal case. End Summary.

GOB relations with ASSK

12. (C) When the Charge raised USG concerns about the ASSK trial, Minister Aung Kyi, who is the regime's formally designated agent for "relations" with ASSK, responded by recalling the Charge's push during a meeting in March (Ref A) for the Minister to offer to resume dialogue with ASSK and the opposition. He said he has thought seriously about the matter; but the last time he made an effort, ASSK clearly was

interested only in talking "with the decision maker." In that light, "it would be a burden to offer again." The Minister said the recent Yettaw incident is "unfortunate," and could delay any future dialogue. But, he concluded, "If she wants to meet me, I'm ready to do so." Regarding top-level dialogue, he reiterated that the regime's pronouncement 1/2007 laid out the conditions under which Senior General Than Shwe would meet with ASSK. (Note: She would have to disavow a series of allegations related to subverting the regime. ASSK thus far has declined to disavow views she says she has never held.)

NLD request for dialogue, but at what level?

¶3. (C) The Charge conveyed a message from NLD Central Executive Committee (CEC) member Khin Maung Swe that the NLD genuinely wants to engage in an unconditional dialogue with the regime with all issues on the table. (Note: per Ref B, Charge conveyed the same message to the Home Affairs Minister on May 21 - Ref B). Aung Kyi's immediate response was: "at what level" of the regime? The Minister said he reads the NLD's Shwegondaing Declaration issued at its recent national conference (Ref C) as confirming an interest to meet only with "the decision maker." The Charge agreed to go back to the CEC to seek clarification, but he noted the NLD's clear statement in February of willingness to engage in unconditional dialogue (Ref D), responding to a call from the UN Secretary General. The Minister suggested that two parties, if they are to have productive discussion, both "need the same vision to an extent. The government is trying

RANGOON 00000321 002 OF 002

to improve the situation, but she always criticizes, is negative." The Charge urged the government to pursue talks with the aim to build bridges, just like the Charge is talking with government ministers.

The ASSK/Yettaw trial

¶4. (C) The Minister declined to speculate how the ASSK trial will turn out. He noted that the process "is far from the Ministry of Labor." He said Yettaw "was not created by the government," and suggested the incident was motivated by "internal disturbers or something else." He said the trial will go ahead "fairly under the law," and he emphasized that, in the regime's view, "citizens must be disciplined." Anybody like ASSK who aspires to the role of political leader, "must abide by the law." He expressed hope that the Charge "can improve bilateral relations." The Charge emphasized that the international community, including the USG, doesn't buy the regime's argument. The charges against ASSK are flimsy, and surely prosecutorial discretion could, and should, be invoked.

Forced and Child Labor

¶5. (C) When the Charge turned the conversation to the Minister's labor portfolio, noting continuing international concern about reports of extensive forced labor and child labor, including by the military, the Minister responded that Burma is still a developing country, still struggling. There may be forced labor in some areas, but as the ILO notes in a report prepared for its governing body, that situation is true in other countries, too. The Minister believes the issue is not worse in Burma. The Minister said the world cannot expect developed-country levels of performance; that takes time. The Charge observed that many observers of the forced labor and child labor issues consider the situation in Burma to be among the worst in the world.

¶6. (C) Aung Kyi said his ministry is trying as much as it can to raise people's knowledge of labor rights and responsibilities, even in unstable border areas. The Charge

acknowledged those important and useful efforts, as attested by the ILO's Burma representatives; but he also urged that the GOB punish those who break labor laws, including taking military officers to criminal trials under the penal code, not just invoking administrative punishments. The Minister stated that the GOB takes action against anyone whom it determines recruited child soldiers. It has taken action against about 50 officers, including a Lieutenant Colonel, Majors, and Captains. But, the Minister said, it would be a waste of effort to take such people to trial. That could cause "pressure or depression." Thus, the preferred course is to "educate" them to become "cooperative." The Charge noted the disconnect between the relatively gentle approach the regime takes toward military officers who break serious child-labor laws and the zero-tolerance approach thus far toward the ASSK trial.

Comment

¶ 7. (C) Minister Aung Kyi, along with the Foreign Minister and Information Minister, met with then-DAS John in Beijing in June 2007, the last effort at formal U.S.-Burma dialogue beyond the Embassy Rangoon channel. Aung Kyi seems genuinely interested in bridge building; however, he acknowledges that he is not the regime's "decision maker." We will continue to convey messages between the NLD CEC and the regime, ever hoping that a useful, direct conversation can commence. Of course, the ASSK trial further complicates what was already a low-odds proposition.

DINGER